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(Original Signature of Member)

107<sup>TH</sup> CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

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**IN THE HOUSE OF REPRESENTATIVES**

Mr. SHAW (for himself, Mr. MATSUI, Mr. BECERRA, Mr. BRADY of Texas, Mr. CARDIN, Mr. COLLINS, Mr. DOGGETT, Ms. DUNN, Mr. FOLEY, Mr. HAYWORTH, Mr. HOUGHTON, Mr. LEWIS of Kentucky, Mr. MCCRERY, Mr. McNULTY, Mr. POMEROY, Mr. PORTMAN, Mr. RAMSTAD, and Mr. RANGEL) introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title II of the Social Security Act provide for miscellaneous enhancements in social security benefits, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*



1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Social Security Benefit  
3 Enhancements for Women Act of 2002”.

4 **SEC. 2. REPEAL OF 7-YEAR RESTRICTION ON ELIGIBILITY**  
5 **FOR WIDOW’S AND WIDOWER’S INSURANCE**  
6 **BENEFITS BASED ON DISABILITY.**

7 (a) WIDOW’S INSURANCE BENEFITS.—

8 (1) IN GENERAL.—Section 202(e) of the Social  
9 Security Act (42 U.S.C. 402(e)) is amended—

10 (A) in paragraph (1)(B)(ii), by striking  
11 “which began before the end of the period spec-  
12 ified in paragraph (4)”;

13 (B) in paragraph (1)(F)(ii), by striking  
14 “(I) in the period specified in paragraph (4)  
15 and (II)”;

16 (C) by striking paragraph (4) and by re-  
17 designating paragraphs (5) through (9) as  
18 paragraphs (4) through (8), respectively; and

19 (D) in paragraph (4)(A)(ii) (as redesign-  
20 nated), by striking “whichever” and all that fol-  
21 lows through “begins” and inserting “the first  
22 day of the seventeenth month before the month  
23 in which her application is filed”.

24 (2) CONFORMING AMENDMENTS.—

25 (A) Section 202(e)(1)(F)(i) of such Act  
26 (42 U.S.C. 402(e)(1)(F)(i)) is amended by



1 striking “paragraph (5)” and inserting “para-  
2 graph (4)”.

3 (B) Section 202(e)(1)(C)(ii)(III) of such  
4 Act (42 U.S.C. 402(e)(2)(C)(ii)(III)) is amend-  
5 ed by striking “paragraph (8)” and inserting  
6 “paragraph (7)”.

7 (C) Section 202(e)(2)(A) of such Act (42  
8 U.S.C. 402(e)(2)(A)) is amended by striking  
9 “paragraph (7)” and inserting “paragraph  
10 (6)”.

11 (D) Section 226(e)(1)(A)(i) of such Act  
12 (42 U.S.C. 426(e)(1)(A)(i)) is amended by  
13 striking “202(e)(4),”.

14 (b) WIDOWER’S INSURANCE BENEFITS.—

15 (1) IN GENERAL.—Section 202(f) of such Act  
16 (42 U.S.C. 402(f)) is amended—

17 (A) in paragraph (1)(B)(ii), by striking  
18 “which began before the end of the period spec-  
19 ified in paragraph (5)”;

20 (B) in paragraph (1)(F)(ii), by striking  
21 “(I) in the period specified in paragraph (5)  
22 and (II)”;

23 (C) by striking paragraph (5) and by re-  
24 designating paragraphs (6) through (9) as  
25 paragraphs (5) through (8), respectively; and



1 (D) in paragraph (5)(A)(ii) (as redesign-  
2 nated), by striking “whichever” and all that fol-  
3 lows through “begins” and inserting “the first  
4 day of the seventeenth month before the month  
5 in which his application is filed”.

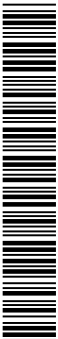
6 (2) CONFORMING AMENDMENTS.—

7 (A) Section 202(f)(1)(F)(i) of such Act (42  
8 U.S.C. 402(f)(1)(F)(i)) is amended by striking  
9 “paragraph (6)” and inserting “paragraph  
10 (5)”.

11 (B) Section 202(f)(1)(C)(ii)(III) of such  
12 Act (42 U.S.C. 402(f)(2)(C)(ii)(III)) is amend-  
13 ed by striking “paragraph (8)” and inserting  
14 “paragraph (7)”.

15 (C) Section 226(e)(1)(A)(i) of such Act (as  
16 amended by subsection (a)(2)) is further  
17 amended by striking “202(f)(1)(B)(ii), and  
18 202(f)(5)” and inserting “and  
19 202(f)(1)(B)(ii)”.

20 (c) EFFECTIVE DATE.—The amendments made by  
21 this section shall apply with respect to benefits for months  
22 after November 2002.



1 **SEC. 3. EXEMPTION FROM TWO-YEAR WAITING PERIOD FOR**  
2 **DIVORCED SPOUSE'S BENEFITS UPON OTHER**  
3 **SPOUSE'S REMARRIAGE.**

4 (a) WIFE'S INSURANCE BENEFITS.—Section  
5 202(b)(5)(A) of the Social Security Act (42 U.S.C.  
6 402(b)(5)(A)) is amended by adding at the end the fol-  
7 lowing new sentence: “The criterion for entitlement under  
8 clause (ii) shall be deemed met upon the remarriage of  
9 the insured individual to someone other than the applicant  
10 during the 2-year period referred to in such clause.”.

11 (b) HUSBAND'S INSURANCE BENEFITS.—Section  
12 202(c)(5)(A) of such Act (42 U.S.C. 402(c)(5)(A)) is  
13 amended by adding at the end the following new sentence:  
14 “The criterion for entitlement under clause (ii) shall be  
15 deemed met upon the remarriage of the insured individual  
16 to someone other than the applicant during the 2-year pe-  
17 riod referred to in such clause.”.

18 (c) CONFORMING AMENDMENT TO EXEMPTION OF  
19 INSURED INDIVIDUAL'S DIVORCED SPOUSE FROM EARN-  
20 INGS TEST AS APPLIED TO THE INSURED INDIVIDUAL.—  
21 Section 203(b)(2)(B) of such Act (42 U.S.C.  
22 403(b)(2)(B)) is amended by adding at the end the fol-  
23 lowing new sentence: “The requirement under such clause  
24 (ii) shall be deemed met upon the remarriage of the in-  
25 sured individual to someone other than the individual re-



1 ferred to in paragraph (1) during the 2-year period re-  
2 ferred to in such clause.”.

3 (d) EFFECTIVE DATE.—The amendments made by  
4 this section shall apply with respect to benefits for months  
5 after November 2002.

6 **SEC. 4. MONTHS ENDING AFTER DECEASED INDIVIDUAL’S**  
7 **DEATH DISREGARDED IN APPLYING EARLY**  
8 **RETIREMENT RULES WITH RESPECT TO DE-**  
9 **CEASED INDIVIDUAL FOR PURPOSES OF LIM-**  
10 **ITATION ON WIDOW’S AND WIDOWER’S BENE-**  
11 **FITS.**

12 (a) WIDOW’S INSURANCE BENEFITS.—Section  
13 202(e)(2)(D)(i) of the Social Security Act (42 U.S.C.  
14 402(e)(2)(D)(i)) is amended by inserting after “applica-  
15 ble,” the following: “except that, in applying paragraph  
16 (7) of subsection (q) for purposes of this clause, any  
17 month ending with or after the date of the death of such  
18 deceased individual shall be deemed to be excluded under  
19 such paragraph (in addition to months otherwise excluded  
20 under such paragraph),”.

21 (b) WIDOWER’S INSURANCE BENEFITS.—Section  
22 202(f)(3)(D)(i) of such Act (42 U.S.C. 402(f)(3)(D)(i))  
23 is amended by inserting after “applicable,” the following:  
24 “except that, in applying paragraph (7) of subsection (q)  
25 for purposes of this clause, any month ending with or after



1 the date of the death of such deceased individual shall be  
2 deemed to be excluded under such paragraph (in addition  
3 to months otherwise excluded under such paragraph),”.

4 (c) EFFECTIVE DATE.—The amendments made by  
5 this section shall apply with respect to benefits for months  
6 after November 2002.

